

United States Bankruptcy Court

Northern District Of California

In re OSCAR D. TERAN,

Debtor

OSCAR D. TERAN, on behalf of himself and all those similarly situated,

Plaintiff

NAVIENT SOLUTIONS, LLC, NAVIENT CREDIT FINANCE CORPORATION,

Defendant

Case No.
10-31718 DM

Chapter
7

Adv. Proc. No.
20-03075

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):
Stephanie Mazloom
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding. <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Other (describe) <u>Proposed Intervenor</u>	For appeals in a bankruptcy case and not in an adversary proceeding. <input type="checkbox"/> Debtor <input type="checkbox"/> Creditor <input type="checkbox"/> Trustee <input type="checkbox"/> Other (describe) _____
--	---

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: ECF No. 98, Order Denying Mot. to Intervene and Dismiss or Stay
2. State the date on which the judgment, order, or decree was entered: January 30, 2022

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Oscar Teran Attorney: See appendix A

2. Party: Navient Solutions, LLC Attorney: See appendix B

3. Party: Proposed Intervenor Attorney: See appendix C
Stephanie Mazloom

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Sean Rodriguez

Date: 02/10/2023

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

See appendix C

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

Appendix A

FRANCIS MAILMAN SOUMILAS, P.C.

Erika A. Heath
369 Pine Street, Suite 410
San Francisco, CA 94104
Tel: 628-246-1352
Fax: 215-940-8000

THE LAW OFFICE OF JAMES MICHEL

James Michel
2912 Diamond St #373
San Francisco, CA 94131-3208
Tel: (415) 239-4949

FRANCIS MAILMAN SOUMILAS, P.C.

James A. Francis (admitted *pro hac vice*)
John Soumilas (admitted *pro hac vice*)
1600 Market Street, Suite 2510
Philadelphia, PA 19103
Tel: (215) 735-8600
Fax: (215) 940-8000

Appendix B

McGuireWoods LLP

Payam Khodadadi (SBN 239906)
1800 Century Park East, 8th Floor
Los Angeles, CA 90067-1501
(310) 315-8208

Joseph A. Florczak (admitted *pro hac vice*)
77 W. Wacker Drive, Suite 4100
Chicago, IL 60601
(312) 849-8100

Appendix C

BOIES SCHILLER FLEXNER LLP

Sean Phillips Rodriguez, State Bar No. 262437
44 Montgomery Street, 41st Floor
San Francisco, California 94104
(415) 293-6800

George F. Carpinello
Adam R. Shaw
Jenna C. Smith
30 South Pearl Street, 11th Floor
Albany, NY 12207
(518) 434-0600

JONES SWANSON HUDDALL, LLC

Lynn E. Swanson
601 Poydras Street, Suite 2655
New Orleans, Louisiana 70130
(504) 523-2500

FISHMAN HAYGOOD LLP

Jason W. Burge
201 St. Charles Avenue, 46th Floor
New Orleans, Louisiana 70170
(504) 586-5241